

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SHAWN DRUMGOLD, Plaintiff)	
)	
)	
v.)	CIVIL ACTION NO. 04-11193-NG
)	
TIMOTHY CALLAHAN, et. al., Defendants)	
)	

**DEFENDANTS THE CITY OF BOSTON AND FRANCIS M. ROACHE’S
MOTION FOR SUMMARY JUDGMENT**

NOW COME the Defendants, the City of Boston and Francis M. Roache, in the above-captioned matter and respectfully request that this Honorable Court grant summary judgment on Plaintiff’s Complaint, Count III with regard to the City of Boston and Counts I and IV with regard to Francis M. Roache, pursuant to F.R.C.P. Rule 56(c) in favor of the aforementioned Defendants.

As grounds for this motion, the Defendants state that there is no genuine issue of material fact, and that the City of Boston and Francis M. Roache are entitled to judgment as a matter of law. Grounds for summary judgment are more fully set out in the Defendants Exhibits A through J attached hereto, Defendants’ Memorandum of Law in Support of Motion for Summary Judgment and Statement of Uncontested Material Facts.

Respectfully submitted,
**Defendants, The City of Boston
and Francis M. Roache**
By their attorneys,

/s/ John P. Roache
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Dated: October 1, 2007

CERTIFICATE OF SERVICE

I, John P. Roache, hereby certify that on October 1, 2007, I served a copy of the above motion upon counsel of record by filing with the ECF/Pacer Case Management System.

/s/ John P. Roache
John P. Roache